REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested. New claim 14 finds support in the specification as originally filed, for example in Figures 1 and 2 and at p.7, l. 16 et seq. (and elsewhere) of the specification. Further, new claims 15 – 19 find support at p. 9, l. 8 et seq. (and elsewhere). Hence, no new matter is added by these amendments.
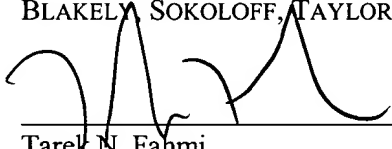
Claim 14 is the sole remaining independent claim and is patentable over MacDoran (US 5,757,916), which fails to teach or suggest a positioning system as claimed. For example, the MacDoran system does not incorporate a single computer readable medium storing both a GPS process and a user application process as recited in claim 14. Moreover, the MacDoran reference fails to teach or suggest anything that would indicate a user application process has a lower priority than a GPS process for execution by a real time operating system (RTOS) as is recited in claim 14. The Office Action suggests that because the MacDoran client utilizes the Windows operating system, this somehow meets the requirement of a real time operating system, however, this assertion is incorrect as it is well-known in the art that only certain "embedded" Windows variants (e.g., Windows CE) perform as an RTOS and the MacDoran reference fails to indicate that such embedded Windows applications are used. The remaining claims depend from claim 14 and are likewise patentable over the cited reference.

For at least the foregoing reasons, the present claims are patentable over MacDoran. If there are any additional fees associated with this communication, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: _Jan- 24_ 2005

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